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DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

1636 West North Temple, Suite 220

Salt Lake City, Utah 84116-3155

801 538-7240

June 8, 1990

0011

Utah Fuel Company
c/o Glen A. Zumwalt
P.O. Box 719
Heliper, UT 84026RE: Stream Channel Alteration Permit 90-91-16SA
Middle Fork of Eccles Creek
EXPIRATION DATE: June 8, 1991

Gentlemen:

Your application to Alter Natural Stream Number 90-91-16SA is hereby approved pursuant to the requirements of Section 73-3-29 of the Utah Code Annotated, 1953. This approval also constitutes compliance with Section 404 (c) of the Clean Water Act (33 USC 1944) pursuant to General Permit 040 issued to the State of Utah by the U.S. Army Corps of Engineers on October 15, 1987.

Work Performed under this permit is subject to the following conditions:

1. Impacts to the stream channel and surrounding environment must be minimized. Vegetation should not be destroyed, but if some disturbance is necessary, then revegetating with native species will be required, especially replacement of woody shrubs. The channel contours and configuration must not be changed.
2. Sediment introduced into stream flows during construction must be controlled to prevent increases in turbidity downstream. This can be accomplished either by diverting flows away from the construction area or by constructing sediment control structures.
3. Work must be performed during a period of low flow.
4. The entrance and capacity shall be sufficient as not to create ponding or back water effects during normal high flows.
5. Willow planting should be completed as recommended.

Within 30 days after the completion of this project, the State Engineer's office must be contacted for a compliance inspection. Failure to provide such notification would invalidate U. S. Army Corps of Engineer's General Permit 040, thereby placing the applicant in violation of Section 404 of the Clean Water Act.

File ACT/007/005
#2
cc: Harold
Summers

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Arrangements for this compliance may be made through either of the contacts listed below:

Chad Gourley
Mark Page

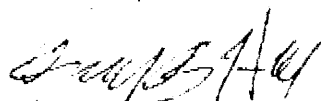
Division of Water Rights/Dam Safety
Area Engineer

This Decision is subject to the provisions of Rule R625-6-7 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code Annotated, 1953 as amended, which provide for filing either a Request for Reconsideration with the State Engineer, or an appeal with the appropriate District Court. A Request for Reconsideration is not a prerequisite for a court appeal. A court appeal must be filed within 30 days after the date of this Decision, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

If you have any questions or need further clarification, please feel free to contact Chad Gourley at 538-7375.

Please note that the expiration date for this permit is June 8, 1991.

Sincerely,


Richard B. Hall, P.E.
Directing Engineer

RRH/CRG/sw

cc: Brooks Carter - Corps of Engineers
Mark Page - Area Engineer
Division of Wildlife - Resource Analyst
Larry Dalton - Regional Resource Analyst
Bob Freeman - U.S. Fish & Wildlife
Bob Mairley - EPA
Carolyn Wright - State Planning
Jim Dykman - State History